

ATTORNEY DOCKET No. 14014.0346U1
PATENT

N THE UNITED STATES PATENT AND TRADEMARK OFFICE

| In re Application of |) |
|--------------------------------------|--------------------------|
| Egan et al. |) Confirmation No.: 1646 |
| Patent No. 7,056,734 |) |
| Issued: June 6, 2006 | Examiner: Jiang, Dong |
| Application No. 09/762,538 |) |
| Filed: July 19, 2001 | Group Art Unit: 5705 |
| 7. (7. | Certificate |
| For: "DIFFERENTIATION OF NON-INSULIN |) |
| Producing Cells Into Insulin |) AUG 1:0 2006 |
| PRODUCING CELLS BY GLP-1 OR | \ |
| Exendin-4 and Uses Thereof | of Correction |

REQUEST FOR CERTIFICATE OF CORRECTION UNDER 35 U.S.C. § 255 AND 37 C.F.R. § 1.323

ATTN: Certificate of Correction Branch Commissioner for Patents P.O. Box 1450

NEEDLE & ROSENBERG, P.C. Customer Number 36339

Alexandria, VA 22313-1450

Sir:

In accordance with the provisions of 35 U.S.C. §255 and 37 C.F.R. §1.323, it is respectfully requested that a Certificate of Correction be issued to correct the above-identified patent. Two (2) copies of the Certificate of Correction are appended. The complete Certificate of Correction involves two (2) pages.

In accordance with the provisions of M.P.E.P. §1481 and pursuant to 37 C.F.R. §1.183, Applicants request that 37 C.F.R. §3.81(a) be waived to permit the correct name of the assignee to be provided after issuance of the patent.

The issue fee for this case was filed on March 13, 2006. The Name of the Assignee on the Issue Fee Transmittal (PTOL-85B) recites "The Government of the United States of

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-1-

America, as represented by the Secretary, Dept. of Health and Human Services, NIH." A copy of the Issue Fee Transmittal as filed is attached hereto as Exhibit A.

In addition to the filing and recordation of an assignment transferring rights of co-inventors Josephine Egan, Riccardo Perfetti, Antonino Passaniti, Nigel Greig and Harold Holloway to The Government of the United States of America, as represented by the Secretary, Department of Health and Human Services, National Institutes of Health, an assignment transferring the rights of co-inventors Joel F. Habener and Doris A. Stoffers to The General Hospital Corporation was also filed as recorded. This assignment is recorded at Reel 017291, Frame 0089. The Notice of Recordation of the assignment to The General Hospital Corporation is attached hereto as Exhibit B. Therefore, the Name of Assignee on the Issue Fee Transmittal Form PTOL-85B should also have recited The General Hospital Corporation, Boston, Massachusetts, but was inadvertently omitted on the Issue Fee Transmittal. The failure to include the second assignee name on the Issue Fee Transmittal was an inadvertent error on the part of the applicants.

Applicants respectfully request that the petition be granted and a Certificate of Correction be issued to recite the names of both assignees as follows:

--The Government of the United States of America, as represented by the Secretary, Department of Health and Human Services, National Institutes of Health, Rockville, MD, and The General Hospital Corporation, Boston, MA--.

Further, it is certified that errors appearing in the above-identified patent and said Letters Patent are hereby corrected as shown below.

Page 1, Other Publications:

Fehmann and Habener et al., the words "proisulin biosysthesis" should be replaced with --proinsulin biosynthesis--.

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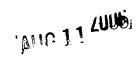
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Column 35, line 9, the word "ridonuclease" should be replaced with --ribonuclease--.

Column 36, line 29, the word "hippocampus" should be replaced with --hippocampus--.

<u>REMARKS</u>

The requested changes are required as a result of errors upon the part of Applicants.

These errors were inadvertent, made in good faith, and do not involve changes in the patent so as to constitute new matter or to require reexamination. Applicants believe that the errors are of a clerical or typographical nature. Applicants therefore respectfully request issuance of a Certificate of Correction.

A Credit Card Payment Form PTO-2038 authorizing payment in the amount of \$100.00, representing the fee under 37 C.F.R. § 1.20(a), and two copies of a Certificate of Correction are enclosed. This amount is believed to be correct; however, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-0629.

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- 4 –

ATTORNEY DOCKET No. 14014.0346U1 PATENT No. 7,056,734 B1

Please issue a Certificate of Correction or a corrected patent, if the Commissioner deems that to be more appropriate and send the document to Bruce H. Becker, M.D., J.D. at the address associated with the following Customer Number:

36339

Respectfully submitted,

NEEDLE & ROSENBERG, P.C.

Bruce H. Becker, M.D., J.D. Registration No. 48,884

NEEDLE & ROSENBERG, P.C. Customer Number 36339 (678) 420-9300 (678) 420-9301 (fax)

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence, including any items indicated as attached or included, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: ATTN: Certificate of Correction Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.

R. M. R.

Bruce H. Becker, M.D., J.D.

8/4/06

Date

PART B - FEE(S) TRANSMITTAL

EXHIBIT A

Complete and send this form, together with applicable fee(s), to: Mail

Mail Stop ISSUE FEE Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

or <u>Fax</u> (571) 273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks I through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any charge of address)

NATIONAL INSTITUTE OF HEAL THAUGO 8 2006

C/O NEEDLE & ROSENBERG, P.C.
SUITE 1000
999 PEACHTREE STREET
ATLANTA, GA 30303

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

tificate of mailing or transmission.

Certificate of Mailing or Transmission

States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

| Bruce H. Becker, M.D., J.D | (Depositor's name) |
|----------------------------|--------------------|
| Brunt. Je w | (Signature) |
| 313/06 | (Date) |

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/762,538 | 07/19/2001 | Josephine Egan | 14014.0346U1 | 5705 |

TITLE OF INVENTION: DIFFERENTIATION OF NON-INSULIN PRODUCING CELLS INTO INSULIN PRODUCING CELLS BY GLP-1 OR EXENDIN-4 AND USES THEREOF

| APPLN. TYPE | SMALL ENTITY | ISSUE FEE | PUBLICATION FEE | TOTAL FEE(S) DUE | DATE DUE |
|---|--|---|---|--|---|
| nonprovisional | NO | \$1400 | \$0 | \$1400 | 03/16/2006 |
| EXA | MINER | ART UNIT | CLASS-SUBCLASS | 7 | |
| JIANG | , DONG | 1646 | 424-093700 | _ | |
| CFR 1.363). Change of correspon Address form PTO/SB/1 The Address indica PTO/SB/47; Rev 03-02 Number is required. ASSIGNEE NAME ANI PLEASE NOTE: Unless recordation as set forth in (A) NAME OF ASSIGN The Governmen of America, a Dept. of Heal | | Correspondence (1) or a (2) reg of a Customer list. E PRINTED ON THE P. low, no assignee data wf this form is NOT a sub (B) RES States y the Secret. | rill appear on the patent. If an assignment. If an assignment. IDENCE: (CITY and STATE OR CO | s a member a mes of up to If no name is 3 | .d |
| 4a. The following fee(s) are | enclosed: | 4b. Paym | nent of Fee(s): | <u> </u> | |
| XX Issue Fee | | | check in the amount of the fee(s) is e | | |
| | small entity discount permitte | | yment by credit card. Form PTO-203 | | |
| XX Advance Order - # o | f Copies 12 | XX TI Depos | ne Director is hereby authorized by sit Account Number 14-06 | charge the required fee(s), or 29 (enclose an extra c | credit any overpayment, to copy of this form). |
| a. Applicant claims S | (from status indicated above) MALL ENTITY status. See 3 | 7 CFR 1.27. | Applicant is no longer claiming SMA | ALL ENTITY status. See 37 C | FR 1.27(g)(2). |
| The Director of the USPTO NOTE: The Issue Fee and P interest as shown by the reco | is requested to apply the Issu- ublication Fee (if required) words of the United States Pater | Fee and Publication Fe ill not be accepted from at and Trademark Office | e (if any) or to re-apply any previous anyone other than the applicant; a re | sly paid issue fee to the applica gistered attorney or agent; or th | ation identified above. the assignee or other party in |
| Authorized Signature | Bru H. R. |) | Date | 3/13/06 | |
| | Bruce H. Becke | - MD ID | | n No. 48,884 | |

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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ITED STATES PATENT AND TRADEMARK OFFICE

Under Secretary of Commerce for Intellectual Property and DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

MARCH 14, 2006

PTAS

NEEDLE & ROSENBERG, P.C. SUITE 1000 999 PEACHTREE STREET ATLANTA, GA 30309

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Name/Date

UNITED STATES PATENT AND TRADEMARK OFFICE NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 571-272-3350. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, MAIL STOP: ASSIGNMENT SERVICES BRANCH, P.O. BOX 1450, ALEXANDRIA, VA 22313.

RECORDATION DATE: 11/28/2005

REEL/FRAME: 017291/0089

NUMBER OF PAGES: 7

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

DOCKET NUMBER: 14014.0346U1

ASSIGNOR:

HABENER, JOEL

DOC DATE: 08/17/2005

ASSIGNOR:

STOFFERS, DORIS

DOC DATE: 11/18/2005RECEIVED

FILING DATE: 07/19/2001

ASSIGNEE:

THE GENERAL HOSPITAL CORPORATION

55 FRUIT STREET

BOSTON, MASSACHUSETTS 02114

MAR 2 0 2006

NEEDLE & ROSENBERG

SERIAL NUMBER: 09762538

ISSUE DATE:

PATENT NUMBER:

TITLE: DIFFERENTIATION OF NON-INSULIN PRODUCING CELLS INTO INSULIN

PRODUCING CELLS BY GLP-1 OR EXENDIN-4 AND USES THEREOF

AUG 11 2006

SHARON BROOKS, EXAMINER
ASSIGNMENT SERVICES BRANCH
PUBLIC RECORDS DIVISION

11/28/05 U.S. DEPRACE OF COMMERCE

ATTORNEY DOCKET NO. 14014.0346U1 U.S. Non-Provisional Application No. 09/762,538

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| ORM PTO-1595 U.S. DEPRANTENT OF COMMERCE Revised 3-01) Patent and Trademark Office PADEMARK 12-06-2005 | | | |
| (Newsea 5-01) Patent and Tradement Co. | | | |
| | RECORDATII P# | MAN AND MAN AND MAN AND MAN AND AND AND AND AND AND AND AND AND A | |
| TO THE HONORABLE DIRECTOR OF U.S. | | 103131045 | |
| Please record the attached original documen | ts or copy thereof. | | |
| Name of conveying party(ies): [Use multiple inventors and multiple date | numbers if there are s of execution.] | Name and address of receiving party(ies): | |
| (1) JOEL HABENER | | THE GENERAL HOSPITAL CORPORATION 55 Fruit Street | |
| (2) DORIS STOFFERS | · | Boston, MA 02114 | |
| | | Additional name(s) and address(es) attached? | |
| Additional names of conveying part | y(ies) attached? | | |
| YES NO | | | |
| Nature of conveyance: | | | |
| X Assignment | Merger | Other | |
| Security Agreement | Change of Nam | | |
| Execution Date: (1) August 17, 200 | 5; (2) November 18, 20 | 05 | |
| 4. Application number(s) or patent no | ımber(s): 09/762,538 | | |
| | er with a new application | n, the execution date of the application is: | |
| A. Patent Application No.(s): 09/762,538 | | B. Patent No.(s): | |
| 5. Name and address of party to whom | | | |
| NEEDLE & ROSENBERG | . P.C. | | |
| Suite 1000 | | | |
| 999 Peachtree Street Atlanta, Georgia 30309 | | | |
| | | | |
| 7. Total fee (37 CFR § 3.41): \$40.00 | | | |
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| □ Credit Card Payment Authorization Form PTO-2038 enclosed □ The Commissioner is hereby authorized to charge the total fee to Deposit Account No. 14-0629 (Attach duplicate copy of this | | | |
| form if paying by deposit account | | ariee in Deposit Account No. 14-0025 (Attach dupilcate copy of this | |
| ☑ The Commissioner is hereby authorized to charge any underpayment, or credit any overpayment, to Deposit Account No. 14-0629. | | | |
| M The Cultural State of the Control | | | |
| 8. To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the | | | |
| original document. R. A. A. See | | | |
| Miller 1 | | | |
| Bruce H. Becker, M.D., J.D. Date Reg. No. 48,884 | | | |
| Total Number of Pages Including Cover Sheet, Attachments, and Document: 8 | | | |
| | | | |
| I hereby certify that this correspondence, including any items indicated as attached or included, is being transmitted via facsimile transmission to: Assignment Recordation Services, Director, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313- | | | |
| 1450, a:: (571) 273 0140, on the date indicated below. | | | |
| Brut. Re of | | | |
| 005 BPRNE Docker 00000017 140629 09762538 Date | | | |
| 8021 40.00 DA | | | |

REVISED: 11/22/05

PATENT NO.:

7,056,734

ISSUED:

June 6, 2006

INVENTORS:

Josephine Egan, Riccardo Perfetti, Antonino Passaniti, Nigel Greig,

Harold Holloway, Joel F. Habener and Doris A. Stoffers

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Thorens et al., the word "Dempstration" should be replaced with -- Demonstration--.

Wang et al., (pp 4910-4917) the word "stablity" should be replaced with --stability--.

MAILING ADDRESS OF SENDER: Bruce H. Becker, M.D., J.D.

NEEDLE & ROSENBERG, P.C.

No. of copies,

PATENT NO. **7,056,734 B1**

999 Peachtree Street, Suite 1000 Atlanta, GA 30309

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PATENT NO.:

7,056,734

ISSUED:

June 6, 2006

INVENTORS:

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MAILING ADDRESS OF SENDER: Bruce H. Becker, M.D., J.D. NEEDLE & ROSENBERG, P.C. 999 Peachtree Street, Suite 1000

PATENT NO. 7,056,734 B1

Atlanta, GA 30309

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MAILING ADDRESS OF SENDER: Bruce H. Becker, M.D., J.D. NEEDLE & ROSENBERG, P.C. PATENT NO. 7,056,734 B1

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NEEDLE & ROSENBERG, P.C.

999 Pagehtras Street Suite 1000

PATENT NO. **7,056,734 B1**

999 Peachtree Street, Suite 1000 Atlanta, GA 30309

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